

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 25-0647.01 Shelby Ross x4510

SENATE BILL 25-129

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A BILL FOR AN ACT

101 **CONCERNING PROTECTIONS RELATED TO A LEGALLY PROTECTED**
102 **HEALTH-CARE ACTIVITY.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill clarifies that requirements for out-of-state telehealth providers do not alter or limit the rights and protections afforded to a person concerning a legally protected health-care activity.

Current law requires a prescription drug label to include the name of the prescribing practitioner. At the practitioner's request, the bill authorizes a prescription label for mifepristone, misoprostol, and the

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

SENATE
Amended 2nd Reading
February 21, 2025

generic alternatives to those prescriptions to include only the name of the prescribing health-care practice instead of the name of the practitioner.

The bill requires any person requesting a subpoena to affirm under penalty of perjury that the subpoena:

- Is not related to, and any information obtained will not be used in, any investigation or proceeding that seeks to impose civil or criminal liability or professional sanctions against a person or entity that engaged in or attempted or intended to engage in a legally protected health-care activity or who provided insurance coverage for gender-affirming health-care services or reproductive health care; or
- Is related to such an investigation or proceeding, but the investigation or proceeding is brought under tort law or contract law by the person who engaged in or attempted or intended to engage in a legally protected health-care activity, gender-affirming health-care services, or reproductive health care, and is actionable in an equivalent or similar manner under Colorado law.

The bill prohibits any person residing in Colorado, or partnership, corporation, trust, or limited liability company that is located, headquartered, or has its principal place of business in Colorado (Colorado business) from responding to a civil, criminal, regulatory, or administrative inquiry, investigation, subpoena, or summons concerning an individual who engaged in or attempted or intended to engage in a legally protected health-care activity or concerning an entity that provides insurance coverage for gender-affirming health-care services or reproductive health care. A person or Colorado business may respond to an inquiry, investigation, subpoena, or summons after certain conditions are met.

If a person or entity brings an out-of-state civil or criminal action, or attempts to enforce any order or judgment issued in connection with an action, against another person or entity for engaging in or attempting or intending to engage in a legally protected health-care activity or for providing insurance coverage for gender-affirming health-care services or reproductive health care, the person or entity subject to the out-of-state civil or criminal action has a private right of action against the person or entity and may institute a civil action in district court within 3 years after the date of the alleged violation.

Current law authorizes a private person to arrest a person without a warrant upon reasonable information that the person is charged in another state with a crime punishable by death or imprisonment for a term exceeding one year. The bill creates an exception if the person is charged in another state for engaging in a legally protected health-care activity in Colorado.

Current law prohibits a public agency from expending government resources or providing information or data in furtherance of any out-of-state investigation or proceeding seeking to impose civil or criminal liability or professional sanction upon a person or entity for engaging in a legally protected health-care activity. The bill expands the prohibition to public entities, which includes state and local governments.

The bill grants the attorney general the authority to enforce the provisions of the bill.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 12-30-124, **add** (16)
3 as follows:

4 **12-30-124. Out-of-state telehealth providers - registration -**
5 **financial responsibility - discipline - emergency protocol - disclosures**
6 **- prescriptions - rules - applicability - definitions.** (16) THIS SECTION
7 DOES NOT ALTER OR LIMIT THE RIGHTS AND PROTECTIONS AFFORDED TO A
8 PERSON CONCERNING A LEGALLY PROTECTED HEALTH-CARE ACTIVITY, AS
9 DEFINED IN SECTION 12-30-121.

10 **SECTION 2.** In Colorado Revised Statutes, 12-280-124, **amend**
11 (2) as follows:

12 **12-280-124. Labeling - rules - definitions.** (2) (a) Except as
13 otherwise required by law, any drug dispensed pursuant to a prescription
14 order must bear a label prepared and placed on or securely attached to the
15 medicine container stating at least the name and address of the
16 prescription drug outlet, the serial number and the date of the prescription
17 or of its dispensing, the name of the drug dispensed unless otherwise
18 requested by the practitioner, the name of the practitioner, the name of the
19 patient, and, if stated in the prescription, the directions for use and
20 cautionary statements, if any, contained in the prescription.

21 (b) NOTWITHSTANDING THE LABELING REQUIREMENTS DESCRIBED

1 IN SUBSECTION (2)(a) OF THIS SECTION, AT THE PRACTITIONER'S REQUEST,
2 A PRESCRIPTION LABEL FOR MIFEPRISTONE, MISOPROSTOL, OR THE GENERIC
3 ALTERNATIVES TO THOSE PRESCRIPTIONS MAY INCLUDE THE NAME OF THE
4 PRESCRIBING HEALTH-CARE PRACTICE INSTEAD OF THE NAME OF THE
5 PRACTITIONER, PROVIDED THE PRACTITIONER INCLUDES THE NAME OF THE
6 HEALTH-CARE PRACTICE ON THE PAPER OR ELECTRONIC FORM OF THE
7 PRESCRIPTION.

8 **SECTION 3.** In Colorado Revised Statutes, **add** 13-1-140.1 as
9 follows:

10 **13-1-140.1. Subpoena requirements - legally protected**
11 **health-care activity - enforcement. (1) Affirmation required.** AN
12 INDIVIDUAL REQUESTING A SUBPOENA SHALL AFFIRM UNDER PENALTY OF
13 PERJURY THAT THE SUBPOENA:

14 (a) IS NOT RELATED TO, AND ANY INFORMATION OBTAINED AS A
15 RESULT OF THE SUBPOENA WILL NOT BE USED IN, ANY INVESTIGATION OR
16 PROCEEDING THAT SEEKS TO IMPOSE CIVIL OR CRIMINAL LIABILITY OR
17 PROFESSIONAL SANCTIONS AGAINST AN INDIVIDUAL OR ENTITY THAT
18 ENGAGED IN OR ATTEMPTED OR INTENDED TO ENGAGE IN A LEGALLY
19 PROTECTED HEALTH-CARE ACTIVITY, AS DEFINED IN SECTION 12-30-121,
20 OR THAT PROVIDED INSURANCE COVERAGE FOR GENDER-AFFIRMING
21 HEALTH-CARE SERVICES, AS DEFINED IN SECTION 12-30-121, OR
22 REPRODUCTIVE HEALTH CARE, AS DEFINED IN SECTION 25-6-402; OR

23 (b) IS RELATED TO AN INVESTIGATION OR PROCEEDING THAT SEEKS
24 TO IMPOSE CIVIL OR CRIMINAL LIABILITY OR PROFESSIONAL SANCTIONS
25 AGAINST AN INDIVIDUAL OR ENTITY THAT ENGAGED IN OR ATTEMPTED OR
26 INTENDED TO ENGAGE IN A LEGALLY PROTECTED HEALTH-CARE ACTIVITY,
27 AS DEFINED IN SECTION 12-30-121, OR THAT PROVIDED INSURANCE

1 COVERAGE FOR GENDER-AFFIRMING HEALTH-CARE SERVICES, AS DEFINED
2 IN SECTION 12-30-121, OR REPRODUCTIVE HEALTH CARE, AS DEFINED IN
3 SECTION 25-6-402, BUT THE INVESTIGATION OR PROCEEDING:

4 (I) IS BROUGHT UNDER TORT LAW OR CONTRACT LAW;

5 (II) IS ACTIONABLE IN AN EQUIVALENT OR SIMILAR MANNER UNDER
6 COLORADO LAW; AND

7 (III) IS BROUGHT BY THE INDIVIDUAL, OR THE INDIVIDUAL'S LEGAL
8 REPRESENTATIVE, WHO RECEIVED GENDER-AFFIRMING HEALTH-CARE
9 SERVICES OR REPRODUCTIVE HEALTH CARE.

10 (2) **Jurisdiction and penalty.** AN INDIVIDUAL WHO OMITTS OR
11 SUBMITS A FALSE AFFIRMATION PURSUANT TO SUBSECTION (1) OF THIS
12 SECTION IS SUBJECT TO THE JURISDICTION OF COLORADO COURTS FOR ANY
13 ACTION, PENALTIES, OR DAMAGES ARISING OUT OF THE OMISSION OR FALSE
14 AFFIRMATION. THE COURT, UPON FINDING THE OMISSION OR FALSE
15 AFFIRMATION WAS MADE INTENTIONALLY, KNOWINGLY, WILLFULLY, OR
16 RECKLESSLY, SHALL IMPOSE A CIVIL PENALTY IN AN AMOUNT NOT TO
17 EXCEED FIFTEEN THOUSAND DOLLARS FOR EACH VIOLATION, WHICH
18 AMOUNT IS IN ADDITION TO ANY OTHER LEGAL OR EQUITABLE REMEDY
19 LAWFULLY AVAILABLE.

20 (3) **Enforcement.** THE ATTORNEY GENERAL MAY BRING A CIVIL
21 ACTION ON BEHALF OF THE STATE TO SEEK THE IMPOSITION OF DAMAGES,
22 PENALTIES, AND ANY OTHER EQUITABLE REMEDIES AGAINST AN
23 INDIVIDUAL WHO OMITTS OR SUBMITS A FALSE AFFIRMATION PURSUANT TO
24 SUBSECTION (1) OF THIS SECTION. THE ACTION MUST BE FILED WITHIN SIX
25 YEARS AFTER THE DATE OF THE ALLEGED VIOLATION.

26 (4) THIS SECTION DOES NOT PROHIBIT THE INVESTIGATION OF
27 CRIMINAL ACTIVITY THAT MAY INVOLVE A LEGALLY PROTECTED

1 HEALTH-CARE ACTIVITY, PROVIDED THAT INFORMATION RELATING TO A
2 MEDICAL PROCEDURE PERFORMED ON AN INDIVIDUAL IS NOT SHARED WITH
3 A FEDERAL AGENCY OR ACTOR, OR AN AGENCY OR INDIVIDUAL FROM
4 ANOTHER STATE, FOR THE PURPOSE OF ENFORCING ANOTHER STATE'S
5 ABORTION LAW.

6 **SECTION 4.** In Colorado Revised Statutes, **add** 13-1-140.2 as
7 follows:

8 **13-1-140.2. Responding to request for information or**
9 **subpoena in connection with legally protected health-care activity -**
10 **exception - enforcement. (1) Response prohibited.** EXCEPT AS
11 PROVIDED IN SUBSECTION (2) OF THIS SECTION, AN INDIVIDUAL RESIDING
12 IN COLORADO, OR ANY PARTNERSHIP, CORPORATION, TRUST, OR LIMITED
13 LIABILITY COMPANY THAT IS LOCATED, HEADQUARTERED, OR HAS ITS
14 PRINCIPAL PLACE OF BUSINESS IN COLORADO, SHALL NOT RESPOND TO A
15 CIVIL, CRIMINAL, REGULATORY, OR ADMINISTRATIVE INQUIRY,
16 INVESTIGATION, SUBPOENA, OR SUMMONS CONCERNING AN INDIVIDUAL OR
17 ENTITY WHO ENGAGED IN OR ATTEMPTED OR INTENDED TO ENGAGE IN A
18 LEGALLY PROTECTED HEALTH-CARE ACTIVITY, AS DEFINED IN SECTION
19 12-30-121, OR CONCERNING AN ENTITY THAT PROVIDES INSURANCE
20 COVERAGE FOR GENDER-AFFIRMING HEALTH-CARE SERVICES, AS DEFINED
21 IN SECTION 12-30-121, OR REPRODUCTIVE HEALTH CARE, AS DEFINED IN
22 SECTION 25-6-402.

23 (2) **Exception.** NOTWITHSTANDING SUBSECTION (1) OF THIS
24 SECTION TO THE CONTRARY, AN INDIVIDUAL RESIDING IN COLORADO, OR
25 ANY PARTNERSHIP, CORPORATION, TRUST, OR LIMITED LIABILITY COMPANY
26 THAT IS LOCATED, HEADQUARTERED, OR HAS ITS PRINCIPAL PLACE OF
27 BUSINESS IN COLORADO, MAY RESPOND TO A CIVIL, CRIMINAL,

1 REGULATORY, OR ADMINISTRATIVE INQUIRY, INVESTIGATION, SUBPOENA,
2 OR SUMMONS IF:

3 (a) THE INQUIRY, INVESTIGATION, SUBPOENA, OR SUMMONS
4 CONTAINS OR IS ACCOMPANIED BY AN AFFIRMATION MADE UNDER THE
5 PENALTY OF PERJURY ATTESTING THAT THE INQUIRY, INVESTIGATION,
6 SUBPOENA, OR SUMMONS:

7 (I) IS NOT RELATED TO, AND ANY INFORMATION OBTAINED AS A
8 RESULT OF THE SUBPOENA WILL NOT BE USED IN, ANY INVESTIGATION OR
9 PROCEEDING THAT SEEKS TO IMPOSE CIVIL OR CRIMINAL LIABILITY OR
10 PROFESSIONAL SANCTIONS AGAINST AN INDIVIDUAL OR ENTITY THAT
11 ENGAGED IN OR ATTEMPTED OR INTENDED TO ENGAGE IN A LEGALLY
12 PROTECTED HEALTH-CARE ACTIVITY, AS DEFINED IN SECTION 12-30-121,
13 OR THAT PROVIDED INSURANCE COVERAGE FOR GENDER-AFFIRMING
14 HEALTH-CARE SERVICES, AS DEFINED IN SECTION 12-30-121, OR
15 REPRODUCTIVE HEALTH CARE, AS DEFINED IN SECTION 25-6-402; OR

16 (II) IS RELATED TO AN INVESTIGATION OR PROCEEDING THAT SEEKS
17 TO IMPOSE CIVIL OR CRIMINAL LIABILITY OR PROFESSIONAL SANCTIONS
18 AGAINST AN INDIVIDUAL OR ENTITY THAT ENGAGED IN OR ATTEMPTED OR
19 INTENDED TO ENGAGE IN A LEGALLY PROTECTED HEALTH-CARE ACTIVITY,
20 AS DEFINED IN SECTION 12-30-121, OR THAT PROVIDED INSURANCE
21 COVERAGE FOR GENDER-AFFIRMING HEALTH-CARE SERVICES, AS DEFINED
22 IN SECTION 12-30-121, OR REPRODUCTIVE HEALTH CARE, AS DEFINED IN
23 SECTION 25-6-402, BUT THE INVESTIGATION OR PROCEEDING:

24 (A) IS BROUGHT UNDER TORT LAW OR CONTRACT LAW;

25 (B) IS ACTIONABLE IN AN EQUIVALENT OR SIMILAR MANNER UNDER
26 COLORADO LAW; AND

27 (C) IS BROUGHT BY THE INDIVIDUAL, OR THE INDIVIDUAL'S LEGAL

1 REPRESENTATIVE, WHO RECEIVED GENDER-AFFIRMING HEALTH-CARE
2 SERVICES OR REPRODUCTIVE HEALTH CARE.

3 (b) THE INDIVIDUAL OR ENTITY THAT RECEIVED THE INQUIRY,
4 INVESTIGATION, SUBPOENA, OR SUMMONS AND ACCOMPANYING
5 AFFIRMATION DESCRIBED IN SUBSECTION (2)(a) OF THIS SECTION:

6 (I) NOTIFIES THE ATTORNEY GENERAL WITHIN SEVENTY-TWO
7 HOURS AFTER RECEIVING THE INQUIRY, INVESTIGATION, SUBPOENA, OR
8 SUMMONS; INDICATES IN THE NOTICE TO THE ATTORNEY GENERAL
9 WHETHER THE INDIVIDUAL OR ENTITY INTENDS TO COMPLY WITH THE
10 INQUIRY, INVESTIGATION, SUBPOENA, OR SUMMONS; AND PROVIDES A
11 COPY OF THE INQUIRY, INVESTIGATION, SUBPOENA, OR SUMMONS, AND
12 ANY RELATED MATERIALS TO THE ATTORNEY GENERAL; AND

13 (II) NOTIFIES THE INDIVIDUAL OR ENTITY THAT PERFORMED,
14 SOUGHT, RECEIVED, FACILITATED, OR OTHERWISE ENGAGED IN THE
15 LEGALLY PROTECTED HEALTH-CARE ACTIVITY TO WHICH THE INQUIRY,
16 INVESTIGATION, SUBPOENA, OR SUMMONS PERTAINS AT LEAST THIRTY
17 DAYS BEFORE PROVIDING ANY RESPONSIVE INFORMATION, UNLESS
18 OTHERWISE ORDERED BY A COURT OF THIS STATE; AND

19 (c) THIRTY DAYS HAVE PASSED SINCE THE INDIVIDUAL OR ENTITY
20 NOTIFIED THE ATTORNEY GENERAL PURSUANT TO SUBSECTION (2)(b)(I) OF
21 THIS SECTION.

22 (3) **Jurisdiction and penalty.** AN INDIVIDUAL OR ENTITY THAT
23 VIOLATES THIS SECTION IS SUBJECT TO THE JURISDICTION OF COLORADO
24 COURTS FOR ANY ACTION, PENALTIES, OR DAMAGES ARISING OUT OF THE
25 VIOLATION. THE COURT, UPON FINDING THE VIOLATION WAS MADE
26 INTENTIONALLY, KNOWINGLY, WILLFULLY, OR RECKLESSLY, SHALL IMPOSE
27 A CIVIL PENALTY IN AN AMOUNT NOT TO EXCEED FIFTEEN THOUSAND

1 DOLLARS FOR EACH VIOLATION, WHICH AMOUNT IS IN ADDITION TO ANY
2 OTHER LEGAL OR EQUITABLE REMEDY LAWFULLY AVAILABLE.

3 (4) **Enforcement.** (a) IF THE ATTORNEY GENERAL HAS REASON TO
4 BELIEVE AN INDIVIDUAL OR ENTITY INTENDS TO COMPLY OR HAS COMPLIED
5 WITH AN INQUIRY, INVESTIGATION, SUBPOENA, OR SUMMONS CONCERNING
6 AN INDIVIDUAL WHO ENGAGED IN OR ATTEMPTED OR INTENDED TO
7 ENGAGE IN A LEGALLY PROTECTED HEALTH-CARE ACTIVITY,
8 GENDER-AFFIRMING HEALTH-CARE SERVICES, OR REPRODUCTIVE HEALTH
9 CARE IN VIOLATION OF THIS SECTION, THE ATTORNEY GENERAL MAY BRING
10 A CIVIL ACTION ON BEHALF OF THE STATE TO ENFORCE THIS SECTION,
11 INCLUDING, BUT NOT LIMITED TO, A MOTION FOR AN ORDER ENJOINING
12 ONGOING AND FUTURE VIOLATIONS OF THIS SECTION. THE ATTORNEY
13 GENERAL MAY SEEK ALL AVAILABLE LEGAL AND EQUITABLE REMEDIES.
14 THE ACTION MUST BE FILED WITHIN SIX YEARS AFTER THE DATE OF THE
15 ALLEGED VIOLATION.

16 (b) THE ATTORNEY GENERAL MAY BRING A CIVIL ACTION ON
17 BEHALF OF THE STATE TO SEEK THE IMPOSITION OF A CIVIL PENALTY
18 AGAINST AN INDIVIDUAL OR ENTITY THAT KNOWINGLY, WILLFULLY, OR
19 RECKLESSLY OMITTS OR SUBMITS A FALSE AFFIRMATION PURSUANT TO
20 SUBSECTION (2)(a) OF THIS SECTION. THE ACTION MUST BE FILED WITHIN
21 SIX YEARS AFTER THE DATE OF THE ALLEGED VIOLATION.

22 (5) **Declaratory relief.** (a) AN INDIVIDUAL RESIDING IN
23 COLORADO, OR A PARTNERSHIP, CORPORATION, TRUST, OR LIMITED
24 LIABILITY COMPANY THAT RECEIVES OR IS SERVED WITH A CIVIL,
25 CRIMINAL, REGULATORY, OR ADMINISTRATIVE INQUIRY, INVESTIGATION,
26 SUBPOENA, OR SUMMONS CONCERNING AN INDIVIDUAL OR ENTITY THAT
27 ENGAGED IN OR ATTEMPTED OR INTENDED TO ENGAGE IN A LEGALLY

1 PROTECTED HEALTH-CARE ACTIVITY, OR THAT PROVIDED INSURANCE
2 COVERAGE FOR GENDER-AFFIRMING HEALTH-CARE SERVICES OR
3 REPRODUCTIVE HEALTH CARE MAY FILE A CIVIL ACTION SEEKING
4 DECLARATORY RELIEF, OR ANY OTHER RELIEF DEEMED NECESSARY AND
5 PROPER BY THE COURT, STATING THAT THIS SECTION PROHIBITS
6 COMPLIANCE WITH THE INQUIRY, INVESTIGATION, SUBPOENA, OR
7 SUMMONS. UPON TIMELY APPLICATION, THE ATTORNEY GENERAL MAY
8 INTERVENE IN A CIVIL ACTION FILED PURSUANT TO THIS SUBSECTION
9 (5)(a).

10 (b) A PARTY SEEKING DECLARATORY RELIEF PURSUANT TO
11 SUBSECTION (5)(a) OF THIS SECTION SHALL SERVE THE ATTORNEY
12 GENERAL WITH NOTICE OF INTENT TO FILE AND ALL SUPPORTING
13 DOCUMENTATION ON OR BEFORE THE START OF THE ACTION.

14 (c) IF THE PARTY INITIATING AN ACTION PURSUANT TO THIS
15 SUBSECTION (5) PREVAILS, THE COURT SHALL AWARD REASONABLE COSTS
16 AND ATTORNEY FEES.

17 (d) AN ACTION BROUGHT PURSUANT TO THIS SUBSECTION (5) MUST
18 BE FILED WITHIN ONE YEAR AFTER THE DATE THE INQUIRY,
19 INVESTIGATION, SUBPOENA, OR SUMMONS WAS RECEIVED.

20 (6) AN INDIVIDUAL OR ENTITY THAT ISSUES A CIVIL, CRIMINAL,
21 REGULATORY, OR ADMINISTRATIVE INQUIRY, INVESTIGATION, SUBPOENA,
22 OR SUMMONS TO A PERSON RESIDING IN COLORADO OR ENTITY LOCATED,
23 HEADQUARTERED, OR INCORPORATED IN COLORADO IS SUBJECT TO THE
24 JURISDICTION OF COLORADO COURTS FOR ANY ACTION, PENALTY, OR
25 DAMAGES ARISING OUT OF A VIOLATION OF THIS SECTION.

26 (7) THIS SECTION DOES NOT PROHIBIT:

27 (a) THE INVESTIGATION OF ANY ACTIVITY THAT WOULD VIOLATE

1 THE LAWS OF THIS STATE, PROVIDED THAT INFORMATION RELATING TO
2 ANY MEDICAL PROCEDURE PERFORMED ON A SPECIFIC INDIVIDUAL MUST
3 NOT BE SHARED WITH AN AGENCY OUTSIDE COLORADO OR WITH ANY
4 OTHER PERSON; OR

5 (b) COMPLIANCE WITH A VALID, COURT-ISSUED SUBPOENA OR
6 WARRANT THAT IS ISSUED IN COMPLIANCE WITH SUBSECTION (2) OF THIS
7 SECTION OR IN RESPONSE TO THE WRITTEN REQUEST OF AN INDIVIDUAL
8 WHO IS THE SUBJECT OF AN INVESTIGATION OR PROCEEDING.

9 (8) ANY INFORMATION LAWFULLY OBTAINED PURSUANT TO THIS
10 SECTION MUST NOT BE DISCLOSED TO ANY PERSON, AGENCY, OR
11 DEPARTMENT OUTSIDE COLORADO UNLESS OTHERWISE AUTHORIZED
12 PURSUANT TO STATE LAW.

13 (9) THIS SECTION DOES NOT PROHIBIT THE INVESTIGATION OF
14 CRIMINAL ACTIVITY THAT MAY INVOLVE A LEGALLY PROTECTED
15 HEALTH-CARE ACTIVITY, PROVIDED THAT INFORMATION RELATING TO A
16 MEDICAL PROCEDURE PERFORMED ON AN INDIVIDUAL IS NOT SHARED WITH
17 A FEDERAL AGENCY OR ACTOR, OR AN AGENCY OR INDIVIDUAL FROM
18 ANOTHER STATE, FOR THE PURPOSE OF ENFORCING ANOTHER STATE'S
19 ABORTION LAW.

20 **SECTION 5.** In Colorado Revised Statutes, 13-21-133, **amend**
21 (1) as follows:

22 **13-21-133. Out-of-state civil action against a person or entity**
23 **prohibited - legally protected health-care activity - out-of-state civil**
24 **judgment.** (1) (a) It is against the public policy of this state for the law
25 of another state to authorize a person to bring a civil action against
26 another person or entity for engaging or attempting or intending to engage
27 in a legally protected health-care activity, as defined in section 12-30-121,

1 ~~(1)(d)~~, or for providing insurance coverage for gender-affirming
2 health-care services, as defined in section 12-30-121, ~~(1)(e)~~, or
3 reproductive health care, as defined in section 25-6-402. ~~(4)~~.

4 (b) (I) IF A PERSON OR ENTITY BRINGS AN OUT-OF-STATE CIVIL OR
5 CRIMINAL ACTION, OR ATTEMPTS TO ENFORCE ANY ORDER OR JUDGMENT
6 ISSUED IN CONNECTION WITH ANY SUCH ACTION, AGAINST ANOTHER
7 PERSON OR ENTITY FOR ENGAGING IN OR ATTEMPTING OR INTENDING TO
8 ENGAGE IN A LEGALLY PROTECTED HEALTH-CARE ACTIVITY, AS DEFINED
9 IN SECTION 12-30-121, OR FOR PROVIDING INSURANCE COVERAGE FOR
10 GENDER-AFFIRMING HEALTH-CARE SERVICES, AS DEFINED IN SECTION
11 12-30-121, OR REPRODUCTIVE HEALTH CARE, AS DEFINED IN SECTION
12 25-6-402, THE PERSON OR ENTITY SUBJECT TO THE OUT-OF-STATE CIVIL OR
13 CRIMINAL ACTION HAS A PRIVATE RIGHT OF ACTION AGAINST THE PERSON
14 OR ENTITY AND, WITHIN SIX YEARS AFTER THE DATE THE OUT-OF-STATE
15 ACTION IS COMMENCED, OR IF THE PERSON OR ENTITY IS ATTEMPTING TO
16 ENFORCE AN OUT-OF-STATE ORDER OR JUDGMENT, SIX YEARS AFTER THE
17 DATE ENFORCEMENT IS ATTEMPTED, MAY INSTITUTE A CIVIL ACTION IN
18 DISTRICT COURT FOR INJUNCTIVE RELIEF; ACTUAL DAMAGES, INCLUDING
19 THE AMOUNT OF ANY JUDGMENT ISSUED IN CONNECTION WITH THE
20 OUT-OF-STATE ACTION, ALONG WITH ANY EXPENSES, COSTS, OR
21 REASONABLE ATTORNEY FEES INCURRED IN CONNECTION WITH THE
22 OUT-OF-STATE ACTION AND CIVIL ACTION FILED PURSUANT TO THIS
23 SECTION; AND ANY OTHER APPROPRIATE REMEDY.

24 (II) THE ATTORNEY GENERAL MAY INTERVENE IN ANY
25 OUT-OF-STATE ACTION BROUGHT AGAINST THE STATE PURSUANT TO THIS
26 SUBSECTION (1)(b).

27 **SECTION 6.** In Colorado Revised Statutes, **amend** 16-19-115 as

1 follows:

2 **16-19-115. Arrest without warrant.** EXCEPT IN CASES ARISING
3 PURSUANT TO SECTION 16-19-107 (2), the arrest of a person may be
4 lawfully made ~~also~~ by any peace officer or a private person without a
5 warrant upon reasonable information that the accused stands charged in
6 the courts of a state with a crime punishable by death or imprisonment for
7 a term exceeding one year. ~~When so arrested~~ The accused must be taken
8 before a judge with all practicable speed, and A complaint must be made
9 against ~~him~~ THE PERSON under oath setting forth the ~~ground~~ GROUNDS for
10 arrest as in section 16-19-114; and thereafter ~~his~~ THE ACCUSED'S answer
11 ~~shall~~ MUST be heard as if ~~he~~ THE ACCUSED had been arrested on a warrant.

12 **SECTION 7.** In Colorado Revised Statutes, 24-31-101, **amend**
13 (1)(i)(XXII); and **add** (1)(i)(XXIV), (1)(i)(XXV), and (1)(i)(XXVI) as
14 follows:

15 **24-31-101. Powers and duties of attorney general.** (1) The
16 attorney general:

17 (i) May independently initiate and bring civil and criminal actions
18 to enforce state laws, including actions brought pursuant to:

19 (XXII) Part 14 of article 12 of title 38; ~~and~~

20 (XXIV) SECTION 13-1-140.1;

21 (XXV) SECTION 13-1-140.2; AND

22 (XXVI) ARTICLE 116 OF TITLE 24.

23 **SECTION 8.** In Colorado Revised Statutes, **amend** 24-116-101
24 as follows:

25 **24-116-101. Prohibition on providing information or**
26 **expending government resources - legally protected health-care**
27 **activity.** A public ~~agency~~ ENTITY, AS DEFINED IN SECTION 24-10-103, or

1 employee, appointee, officer, official, or any other person acting on
2 behalf of a public ~~agency~~ ENTITY, shall not provide any information or
3 expend or use time, money, facilities, property, equipment, personnel, or
4 other resources in furtherance of any out-of-state investigation, OR, TO
5 THE EXTENT CONSTITUTIONALLY PERMISSIBLE, ANY FEDERAL
6 INVESTIGATION or proceeding seeking to impose civil or criminal liability
7 or professional sanction upon a person or entity for engaging in a legally
8 protected health-care activity, as defined in section 12-30-121. ~~(1)(d)~~.

9 **SECTION 9.** In Colorado Revised Statutes, 24-116-102, **amend**
10 (1) and (2) as follows:

11 **24-116-102. Prohibition on assisting another state - legally**
12 **protected health-care activity.** (1) A ~~state agency or executive~~
13 ~~department~~ PUBLIC ENTITY, AS DEFINED IN SECTION 24-10-103, shall not
14 provide information or data, including patient medical records,
15 patient-level data, or related billing information, or expend time, money,
16 facilities, property, equipment, personnel, or other resources for the
17 purpose of assisting or furthering an investigation or proceeding initiated
18 in or by another state, OR, TO THE EXTENT CONSTITUTIONALLY
19 PERMISSIBLE, INITIATED BY THE FEDERAL GOVERNMENT, that seeks to
20 impose criminal or civil liability or professional sanction upon a person
21 or entity for engaging in a legally protected health-care activity, as
22 defined in section 12-30-121. ~~(1)(d)~~.

23 (2) Notwithstanding subsection (1) of this section, ~~an agency or~~
24 ~~executive department~~ A PUBLIC ENTITY may provide information or
25 assistance in connection with an investigation or proceeding in response
26 to a written request from the subject of the investigation or proceeding.

27 **SECTION 10.** In Colorado Revised Statutes, **add** 24-116-103 as

1 follows:

2 **24-116-103. Enforcement by the attorney general.** THE
3 ATTORNEY GENERAL HAS THE SOLE DISCRETION TO ENFORCE ANY ACTION
4 BROUGHT PURSUANT TO THIS ARTICLE 116 AND ANY RELATED LEGAL
5 ACTION BROUGHT ON BEHALF OF THE STATE.

6 **SECTION 11. In Colorado Revised Statutes, add 25-2-108.5 as**
7 **follows:**

8 **25-2-108.5. Reports of induced terminations of pregnancy.**
9 THE STATE REGISTRAR SHALL NOT COLLECT OR PUBLISH REPORTS OF
10 INDUCED TERMINATIONS OF PREGNANCY.

11 **SECTION 12. Severability.** If any provision of this act or the
12 application of this act to any person or circumstance is held invalid, the
13 invalidity does not affect other provisions or applications of the act that
14 can be given effect without the invalid provision or application, and to
15 this end the provisions of this act are declared to be severable.

16 **SECTION 13. Safety clause.** The general assembly finds,
17 determines, and declares that this act is necessary for the immediate
18 preservation of the public peace, health, or safety or for appropriations for
19 the support and maintenance of the departments of the state and state
20 institutions.